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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 November 2008*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24 and 40-47* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24 and 40-47* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
          application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.　　This action is responsive to the RCE filed 11/14/2008.

Claims 1-24 and 40-47 are currently pending. Claims 1, 10, and 22 have been amended. Claims 25-39 and 48-55 have been canceled. Claims 1, 10, 13, 22, and 24 are independent claims.

Request Continuation for Examination

2.　　A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed 11/14/2008 has been entered.

Claim Objections

Claims 41-47 are objected to because of the following informalities:

- In Claim 41, the phrase "*The computer-readable medium*" in Line 1 should be

  amended to — The computer-readable <u>storage</u> medium — because that is how

  the element is previously identified (see Claim 40, Line 1). Claims 42-47 have

  the same problem.

  Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 13-24 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

Claims 13-24:

In summary, Claims 13 and 22 recite a "*system*" comprising a "*display*

description file" and a "*display component*." For purposes of examination, the examiner

interprets the "*display description file*" to be electronic data that is to be displayed in the

"*system*" (see Display Description 2 on Pages 8-9 of the Specification) and the "*display*

component" to be the "display engine" disclosed in the Specification (see Page 10,

Paragraph 0025, first through sixth sentences). Thus, the recited "*system*" is comprised

solely of electronic data and computer software.

Accordingly, the recited "*system*" is not a process, a machine, a manufacture or a composition of matter, as defined in 35 U.S.C. 101.

Claims 14-21, 23 and 24 merely further define the electronic data of the recited "*system*." Thus, none of Claims 14-21, 23 and 24 recite statutory subject matter.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-24 and 40-47 are rejected under 35 U.S.C. 102(a) as being anticipated by **Applicant's Admitted Prior Art** (hereinafter, "Admission").

As to claim 13:

Admission teaches a computer system for specifying alternate layouts of an element of a display description, comprising:

- a display description file having a definition of the element and condition and layout pairs for the element specified using a display description language *(web page definitions ... to specify the content of the display without specifying the procedure for rendering the content. For example, a display description language may allow a developer to specify that a table is to be displayed at a certain location and to specify the content of the cells within the table without having to specify the steps needed to render the table ... When specified using a declarative display description language, these conditional layouts are typically generated statically or dynamically)*, wherein layouts and conditions included in the display description file only specify how to display elements defined in the display description file (*HTML-like display description that defines the layout of a table user interface element differently depending on whether it is docked on the left or bottom of a display device ... Table 101 represents the table layout when it is docked on the left, and table 102 represents the table layout when it is docked to the bottom ... the layout of the content of the table is specified by the ordering of the content in the display description and the placement of various tags ... <TR> and <TD> define the layout of the content within the rows of the table) [See ¶ ¶ 0002, and 0004- 0006 and Fig. 1]* ; and

- a display component that generates a display based on the display description file by displaying the element in accordance with a layout of a

pair *[See ¶ 0005: When specified using a declarative display description language, these conditional layouts are typically generated statically or dynamically. A statically generated display description is generated once and contains multiple copies of the content and the attributes of a user interface element for each possible layout of that element. A dynamically generated declarative display description is generated after the characteristics of the display device are known, using a program or an XML transform]* when the condition of the pair is satisfied *[See ¶ ¶ 0022 and 0022: When the table is docked on the bottom, the style elements 1.4, 1.5, and 1.6 will have their conditions satisfied and the resulting table will be that of table 102 of FIG. 1].*

As to claim 14:

Admission teaches the element has a class and the condition and layout pairs are specified in a style for that class *[See ¶ 0004: "styles" to define various attributes at a common location that can be applied to the content of various user interface elements of the display description. For example, a style may be defined that specifies that hyperlinks of a certain class are to be rendered in red. Another style may be defined that specifies that hyperlinks of another class are to be rendered in green. When a rendering engine encounters a hyperlink, it retrieves the style for the hyperlink's class and renders the hyperlink with the appropriate color. Styles may even allow the use of conditional logic. For*

example, a style may specify that a class of hyperlinks is to normally have the color red, but when a mouse pointer is hovering over that hyperlink, its color is to change to green. An alternative to the use of styles would be to have a color attribute and color attribute selection logic specified for each hyperlink element].

As to claim 15:

Admission teaches the condition and layout pairs are attributes of an element for that class *[See Display description 1 and ¶ 0020:* conditional layout and positioning within a table when defining the tables of FIG. 1*].*

As to claim 16:

Admission teaches the condition and layout pairs are attributes within the definition of the element *[See Display description 1 and ¶ 0020:* conditional layout and positioning within a table when defining the tables of FIG. 1*].*

As to claim 17:

Admission teaches the element has child elements and the layouts specify the layout of the child elements *[See ¶ 0020: Style element 1.1 specifies that the content element with the identifier of "table 1" is to have its child elements laid out as a table with one column and two rows].*

As to claim 18:

Admission teaches a layout is from, among other things, a group consisting of vertical layout and horizontal layout *[See ¶ 0005: When the window pane is docked on the left, its content should be arranged vertically, and when the window pane is docked on the bottom, its content should be arranged horizontally].*

As to claim 19:

Admission teaches a layout specifies a table in which the child elements are to be displayed *[See ¶¶0020, 0022 and Display description 2 : The style element 1.2 specifies the position of row 1 and column 1 of its parent table and that its content "A1," "A2," and "A3" is to be laid out vertically within that position of the table].*

As to claim 20:

Admission teaches the layout that specifies a table further specifies a cell within the table for a child element *[See ¶ 0002: a display description language may allow a developer to specify that a table is to be displayed at a certain location and to specify the content of the cells within the table without having to specify the steps needed to render the table].*

As to claim 21:

Admission teaches the layout that specifies a table further specifies that a cell

for a child element is to be automatically selected *[See ¶ 0020: Style element*

1.1 specifies that the content element with the identifier of "table 1" is to have

its child elements laid out as a table with one column and two rows ... any child

content elements are to be laid out vertically].

As to claim 23:

Admission teaches each child element (A1) is only defined once within the

element (A) *[See ¶ 0021].*

As to claim 24:

Admission teaches a layout specifies the layout of the child elements *[See ¶*

0020: Style element 1.1 specifies that the content element with the identifier of

"table 1" is to have its child elements laid out as a table with one column and two

rows].

<u>**As to claim 22:**</u>

Refer to the discussion of claim 13 above for rejection. Furthermore,

Admission teaches recites:

- wherein the element has child elements and the layouts specify the

  layout of the child elements *[See ¶ 0020: Style element 1.1 specifies*

that the content element with the identifier of "table 1" is to have its child

elements laid out as a table with one column and two rows],

- wherein a layout specifies a table in which the child elements are to be

  displayed *[See ¶¶0020, 0022 and Display description 2 : The style*

  element 1.2 specifies the position of row 1 and column 1 of its parent table

  and that its content "A1," "A2," and "A3" is to be laid out vertically within

  that position of the table], and

- wherein the layout that specifies a table further specifies a cell within the

  table for a child element and another cell for another child element is to be

  automatically selected *[See ¶ 0020: Style element 1.1 specifies that the*

  content element with the identifier of "table 1" is to have its child elements

  laid out as a table with one column and two rows ... any child content

  elements are to be laid out vertically].

As to claim 40:

Admission teaches a computer-readable storage medium containing a data

structure of a display description file specifying alternate layouts of an

element using a display description language *[See ¶ 0002: display*

descriptions, such as web page definitions, are specified using display

description languages such as HTML, XML, or other markup language], the

data structure comprising:

- a definition of an element *[See ¶ 0020: content elements that define the content of the table]*;

- a first condition and a first layout associated with the element; and a second condition and a second layout associated with the element *[See ¶¶ 0020 and 0022: Display description 2 illustrates use of conditional layout and positioning within a table when defining the tables of FIG. 1 … When the display system renders display description 2, it first determines which style elements have their conditions satisfied depending on where the table is docked. The display system then processes the content elements. If the table is docked on the left, then style elements 1.1, 1.2, and 1.3 will have their conditions satisfied and style elements 1.4, 1.5, and 1.6 will not]*;

wherein the element is laid out in accordance with the first layout when the first condition is satisfied and with the second layout when the second condition is satisfied *[See ¶0022: If the table is docked on the left, then style elements 1.1, 1.2, and 1.3 will have their conditions satisfied and style elements 1.4, 1.5, and 1.6 will not. When the display system renders content element 2, it retrieves style element 1.1 because its condition is satisfied and its identifier matches that of content element 2]*; and

wherein layouts and conditions included in the display description file only

specify how to display elements defined in the display description file

wherein layouts and conditions included in the display description file only

specify how to display elements defined in the display description file *[See*

¶ ¶ 0005 and 0006: HTML-like display description that defines the layout

of a table user interface element differently depending on whether it is

docked on the left or bottom of a display device … Table 101 represents

the table layout when it is docked on the left, and table 102 represents the

table layout when it is docked to the bottom ... the layout of the content of

the table is specified by the ordering of the content in the display

description and the placement of various tags … <TR> and <TD> define

the layout of the content within the rows of the table].

As to claim 41:

Admission teaches the conditions and layouts are defined in a style associated

with the element *[See ¶¶ 0020, 0022, and Display description 1 and 2].*

.

As to claim 42:

Admission teaches the style is associated with the element based on a class

[See ¶ 0004: "styles" to define various attributes at a common location that can

be applied to the content of various user interface elements of the display

description. For example, a style may be defined that specifies that hyperlinks of

a certain class are to be rendered in red. Another style may be defined that

specifies that hyperlinks of another class are to be rendered in green. When a

rendering engine encounters a hyperlink, it retrieves the style for the hyperlink's

class and renders the hyperlink with the appropriate color. Styles may even

allow the use of conditional logic. For example, a style may specify that a class

of hyperlinks is to normally have the color red, but when a mouse pointer is

hovering over that hyperlink, its color is to change to green. An alternative to the

use of styles would be to have a color attribute and color attribute selection logic

specified for each hyperlink element].

As to claim 43:

Admission teaches the conditions and layouts are defined as attributes of the

element *[See Display description 1 and ¶ 0020: conditional layout and positioning*

within a table when defining the tables of FIG.1].

As to claim 44:

Refer to the discussion of Claim 17 above for rejection.

As to claim 45:

Admission teaches the data structure is specified using a display description

language *[See ¶ 0002: Many display descriptions, such as web page definitions,*

are specified using display description languages such as HTML, XML, or other

markup language].

As to claim 46:

Admission teaches the data structure is specified using XML *[See ¶ 0002: Many*

display descriptions, such as web page definitions, are specified using display

description languages such as HTML, XML, or other markup language].

As to claim 47:

O'Brien teaches the data structure is specified using HTML *[See ¶ 0006: Display*

description 1 illustrates an example HTML-like display description].

<u>As to claim 10:</u>

Refer to the discussion of Claim 40 above for rejection. Furthermore, Admission

teaches wherein the layouts specify the layout of the child elements *[See ¶¶*

0020, 0022 and Display description 2 : The style element 1.2 specifies the

position of row 1 and column 1 of its parent table and that its content "A1," "A2,"

and "A3" is to be laid out vertically within that position of the table] and wherein a

layout specifies a table in which the child elements are to be displayed and

further specifies a cell within the table for a child element and another cell for

another child element is to be automatically selected *[See ¶¶0020: Style*

elements 1.1, 1.2, and 1.3 specify the layouts for their corresponding content

elements when the table is docked on the left. Style element 1.1 specifies that

the content element with the identifier of "table 1" is to have its child elements

laid out as a table with one column and two rows ... Style element 1.6 specifies

that the content element with the identifier of "B" is to be positioned within its

parent's table in row 1 and column 1 and that any child content elements are to

be laid out horizontally].

As to claim 1:

Refer to the discussion of claim 40 above for rejection. Additionally, Admission

teaches:

- parsing the display description file to identify the definition of the element,

  the first condition and the first layout, and the second condition and the

  second layout; retrieving a parameter for controlling the layout of the

  element; determining whether the retrieved parameter indicates that the

  first condition is satisfied or the second condition is satisfied *[See ¶ 0022:*

  When the display system renders display description 2, it first determines

  which style elements have their conditions satisfied depending on where

  the table is docked. The display system then processes the content

  elements. If the table is docked on the left, then style elements 1.1, 1.2,

  and 1.3 will have their conditions satisfied and style elements 1.4, 1.5, and

  1.6 will not. When the display system renders content element 2, it

> retrieves style element 1.1 because its condition is satisfied and its
> identifier matches that of content element 2]; and

- displaying the element in accordance with the first layout when it is
  determined that the first condition is satisfied *[See ¶ 0022: When the
  display system renders content element 2, it retrieves style element 1.1
  because its condition is satisfied and its identifier matches that of content
  element 2... The layout of the resulting table will be that of table 101 of
  FIG. 1. When the table is docked on the bottom, the style elements 1.4,
  1.5, and 1.6 will have their conditions satisfied and the resulting table will
  be that of table 102 of FIG. 1]*; and

- displaying the element in accordance with the second layout when it is
  determined that the second condition is satisfied *[See ¶ 0022: When
  processing content element 2.1, the display system applies style element
  1.2 because its condition is satisfied and its identifier matches that of
  content element 2.1... The layout of the resulting table will be that of table
  101 of FIG. 1. When the table is docked on the bottom, the style elements
  1.4, 1.5, and 1.6 will have their conditions satisfied and the resulting table
  will be that of table 102 of FIG. 1]*. It is noted that FIG. 1 is labeled as
  "Prior Art" (see the amendment submitted 02/13/2008).

As to claims 2-9 and 11-12:

Refer to the discussion of Claims 14-21 and 46-47 above, respectively, for
rejections.

Response to Arguments

5.   Applicant's arguments with respect to claims 1-24 and 40-47 have been fully
considered but are moot in view of the new ground(s) rejection.

Conclusion

6.   The prior art made of record, listed on PTO 892 provided to Applicant is
considered to have relevancy to the claimed invention. Applicant should review
each identified reference carefully before responding to this office action to
properly advance the case in light of the prior art.

Contact information

7.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Maikhanh Nguyen whose telephone number is

(571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached at (571) 272-4137.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Maikhanh Nguyen/
Examiner, Art Unit 2176

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